

REMARKS

Claims 1 and 3 through 31 have been canceled and new claims 32 through 39 have been entered. The original claims were rejected as obvious over Patmont in view of Selwyn. This rejection is respectfully traversed.

New claim 32 calls for a motor assembly that is selectively detachably coupled to the steering shaft of a scooter assembly and further includes a biasing mechanism operatively associated with the motor assembly for urging a rotary output shaft into engagement with the front wheel. Patmont is a rear-wheel drive mechanism. Further, contrary to the Examiner's assertion, Patmont is not selectively detachable, and neither is Selwyn. The Patmont motor is mounted on a bolt called a "pivot bushing 190" (not labeled in the drawing) which is on the end of a swing-arm spring 182. Thus, the Patmont motor is an integral part of the scooter and is not a retrofit selectively attachable and detachable accessory. The invention as claimed requires that the motor be selectively attachable and detachable to the front steering column.

The Examiner is also incorrect about Selwyn. The Examiner's assertion that the Selwyn front-mounted motor is attachable and detachable because of the views shown in phantom outline is incorrect. The phantom outline merely shows the steering shaft in both an upright and a folded position. The motor does not engage the wheel when the steering shaft is folded down. Once the steering shaft is locked into place however, the motor shaft automatically engages the front wheel because it is hard-mounted to the shaft in a position that brings it into contact with the front wheel when the shaft is upright. Nothing is said in Selwyn as to whether the motor is selectively attachable and detachable from the front steering shaft and nothing in Selwyn would imply that it is. It appears to be hard-mounted and integral with the shaft. Thus, new claim 32, which states explicitly that the motor assembly is selectively attachable and detachable from the front steering shaft, patentably distinguishes over Selwyn individually or over any combination of Selwyn and Patmont.

Additionally, the Examiner has cited no teaching which would lead to the conclusion that it would have been obvious to include features of Patmont in the Selwyn reference in order to reconstruct the patented invention. Specifically, Selwyn is a permanently affixed motor that engages the front wheel by virtue of locking the vertical steering shaft into position

from a folded position. This in no way suggests any adjustability or the ability to selectively attach and detach the motor from the front steering column. The teachings of Patmont are of no help in a Selwyn-type configuration because of the dependence that Selwyn places on the orientation of the steering shaft (from a folded position to an operational position) to engage the front wheel with the motor. Thus, Patmont's biasing spring, which Patmont uses to keep his motor shaft engaged with the rear wheel, would not be appropriate in a Selwyn-type configuration. Since Selwyn is the only motor in the prior art that mounts to the front wheel, and since Selwyn's teaching is geared entirely to a mechanism for engaging the front wheel by orienting the steering shaft in an upright position, the prior art cannot fairly suggest the use of a biasing mechanism to operatively engage the motor assembly to the wheel in a front-wheel mounted system.

The other claims in the case are dependent on claim 32 and provide additional features, none of which being found in any of the prior art. In claim 33 for example, the shaft includes a pin for selectively engaging the motor assembly. The pin permits the motor assembly to rotate such that a biasing mechanism, which is an elastic band interacting between the motor assembly and the shaft, causes the motor assembly to rotate into engagement with the front wheel. No such configuration is shown in either Selwyn, Patmont or any of the other prior art cited by the Examiner.

The Examiner cited Olson '747 because it showed a motor mounting for a bicycle that is mounted on a pin. This device, however, in no way resembles that which is claimed in claim 33. To begin with, Olson merely shows a motor mounted to a bicycle (on the seat tube) which has pulleys that ultimately connect the motor output drive shaft to what is referred to as a "drive wheel" held in a bracket which is suspended from the seat tube. The drive wheel rests on the rear bicycle tire and provides an assist function at relatively slow speeds. Olson shows a bicycle however, and not a scooter. The Olson device furthermore interacts with the rear bicycle tire whereas the claimed invention drives the front wheel. Further, there is no biasing mechanism as called for in the claims which would bias Olson's drive wheel. Further, claim 34 characterizes the biasing mechanism as an "elastic band which is situated a vertical distance below the horizontal pin." This feature is not present in Olson.

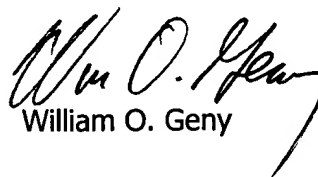
None of the prior art shows the features claimed in claims 35 through 38. In claim 35, the motor assembly is coupled with the steering shaft by means of a detachable clamp and is slidable along the steering shaft. In this embodiment, the motor assembly is slid into a position at which it engages the front wheel. In claim 36, the biasing mechanism is characterized to include a spring which is positioned between a bottom portion of the motor assembly and the motor itself. Thus when adjusted relative to the front wheel, the spring, which is positioned between the motor and the bottom portion of the case, provides a biasing force which keeps the motor output shaft engaged on the front wheel.

In claim 37, the motor assembly is coupled to a clamp attached to the steering shaft but the motor assembly is slidable on the clamp so as to engage the front wheel. Claim 38, like claim 36, provides the spring biasing mechanism interacting between the motor and portions of the motor assembly so that when the motor assembly is positioned against the wheel, the spring biases the motor output shaft against the wheel.

New claim 40 claims the features that the motor assembly is selectively attachable to the front steering shaft and that it slides on the shaft to engage the front . None of the prior art references have this feature. The only front mounted device, Selwyn, has its motor hard-mounted to the shaft so that it locks into position by virtue of placing the steering shaft upright. Thus, the Selwyn motor depends upon its hard-mounted position to be brought into contact with the front wheel when the shaft is locked in its upright position. By contrast, the invention of claim 40 permits the motor assembly, or parts of it, to slide relative to the shaft so that the user may adjust the position of the motor to bear against the wheel with the proper amount of tension on the wheel.

None of the prior art either singly or in combination shows these features and thus these claims should be allowed.

Respectfully submitted,

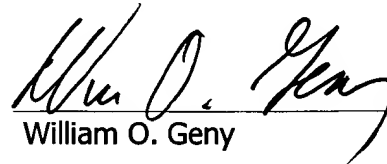

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I hereby certify that this Response / Amendment is being deposited with the United States Postal Service as first class mail on June 26, 2003 in an envelope addressed to:
Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 26, 2003



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